

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:12cv327**

**TERRY BOYD McENTIRE,** )  
Plaintiff, )  
v. )  
**MYRA JOHNSON, KIMBERLY** )  
**GOLD, and ISOTHERMAL** )  
**COMMUNITY COLLEGE,** )  
Defendants. )

**ORDER**

Defendant filed a Motion to Dismiss [# 2] the Complaint. Subsequently, Plaintiff filed an Amended Complaint as a matter of course within twenty one days of the filing of the Motion to Dismiss, as allowed by Rule 15(a)(B). The filing of an amended complaint supercedes the original complaint and renders it void of any legal function in the case. Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court **DENIES as moot** Defendants' Motion to Dismiss [# 2].

Signed: November 20, 2012

Dennis E. Howell

Dennis L. Howell  
United States Magistrate Judge

